

Appendix 9

Summary of Intentional Program Violation sanctions established
2008-2011

Summary of open and completed investigations by program –
2010 and 2011

Intentional Program Violation Policy and Counts for the FoodShare Program

A person commits an Intentional Program Violation (IPV) when s/he intentionally:

1. makes a false or misleading statement, or misrepresents, conceals or withholds facts; or
2. commits any act that constitutes a violation of the Food Stamp Act, the Food Stamp Program Regulations, or any Wisconsin statute for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of FoodShare benefits or QUEST cards.

An IPV may be determined by the following means:

1. Federal, state, or local court order,
2. Administrative Disqualification Hearing (ADH) decision,
3. Pre-charge or pretrial diversion agreement initiated by a local district attorney and signed by the FoodShare recipient in accordance with federal requirements, or
4. Waiver of the right to an ADH signed by the FoodShare recipient in accordance with federal requirements.

Period of Ineligibility

Anyone determined to have committed an IPV is ineligible for:

- 1) One year for the first intentional program violation.
- 2) Two years for:
 - a) the second intentional program violation or,
 - b) the first IPV for which an individual is convicted in a federal, state or local court to have used or received benefits in a transaction involving the sale of drugs.
- 3) Permanently for:
 - a) a third intentional program violation, or
 - b) a first IPV resulting from the conviction of the individual by a federal, state or local court for having used or received benefits in a transaction involving the sale of firearms, ammunition, or explosives, or
 - c) a first IPV resulting from a conviction of an individual in a federal, state or local court involving trafficking benefits for an aggregate amount of \$500 or more.
 - d) a second IPV for which an individual is convicted in a federal, state or local court to have used or received benefits in a transaction involving the sale of drugs

Only the person determined to have committed an IPV is ineligible. Other members of the FoodShare group may continue to be eligible.

If a non-participating person with an IPV disqualification does reapply for FS, we apply any remaining periods of ineligibility.

IPV Disqualification for Receipt of Multiple FS Benefits

A person who makes a fraudulent statement about his or her identity or place of residence in order to receive multiple FS benefits simultaneously shall be ineligible for a period of 10 years.

Numbers of IPVS

At the time we ran this (point in time) in July 2010, there were:

- 171 individuals that had a one year sanction
- 8 with a 2 year sanction
- 1 with a permanent sanction

Current count of individuals sanctioned (1 year, 2 years or permanently) for a FoodShare Program IPV since 2008:

Year	Count
2008	144
2009	155
2010	135
2011 (year-to-date)	59

**Summary of completed fraud referrals by program
2010 and 2011**

Year-to-date totals, by month and by program, for <u>completed</u> fraud referrals statewide – CY 2010												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
FS	64	62	106	91	53	99	74	52	72	74	44	81
MA	39	33	54	39	33	60	44	41	42	47	25	56
CC	25	28	40	47	30	20	30	23	11	24	27	40
WW	11	6	7	3	4	7	6	2	4	2	3	6
ALL	139	129	207	180	120	186	154	118	129	147	99	183

Year-to-date totals, by month and by program, for <u>completed</u> fraud referrals statewide – CY 2011												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
FS	89	115	141	156								
MA	49	82	98	91								
CC	44	37	49	45								
WW	7	9	8	4								
ALL	189	243	296	296								